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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 PATRICIA STOGSDILL,

12 Plaintiff,

13 v.

14 NANCY A. BERRYHILL, Acting
15 Commissioner of the Social Security
16 Administration,

17 Defendant.

18 CASE NO. 3:17-CV-05180-RSM-JRC

19 REPORT AND RECOMMENDATION
20 ON PLAINTIFF'S MOTION TO
21 DISMISS

22 This matter has been referred to United States Magistrate Judge J. Richard Creatura
23 pursuant to 28 U.S.C. § 636(b)(1) and Local Magistrate Judge Rule MJR 4(a)(4), and as
24 authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261, 271-72 (1976).

25 Plaintiff has filed a Motion to Dismiss (Dkt. 11) and defendant has filed no objection.

26 See Dkt.

27 The Complaint was filed and the Summons were issued on March 14, 2017. Dkts. 3, 4.
28 Defendant filed the Answer/Administrative Record on May 15, 2017. Dkt. 9. Plaintiff filed her
29 Motion to Dismiss on June 13, 2017. Dkt. 11. The Declaration of Lindsey Craven in Support of

1 Motion to Dismiss verifies that plaintiff Patricia Stogsdill was advised of, and is in agreement
2 with, dismissing this claim.

3 Based on plaintiff's motion and the declaration of counsel, and without objection from
4 defendant, this Court recommends that the District Judge immediately approve this Report and
5 Recommendation and order the case be **dismissed without prejudice**. *See Fed. R. Civ. P.*
6 **41(a)(2)**.

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8 Dated this 5th day of July, 2017.

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10 
11 J. Richard Creatura

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13 United States Magistrate Judge
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